

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5449 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

MANJUBEN M PATEL

Versus

GUJARAT INDUSTRIAL DEVELOPMENT CORPORATION

Appearance:

1. Special Civil Application No. 5449 of 2001
MR ZUBIN F BHARDA for Petitioner No. 1
MR MB GANDHI for Respondent No. 1-2
MRS TRUSHA M GANDHI for Respondent No. 1
RULE SERVED for Respondent No. 2
-

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 24/09/2004

ORAL JUDGEMENT

1. Heard learned counsel for the parties. With
their consent, the matter is taken up for hearing today.

2. The petitioner herein has preferred this petition in order to challenge the inaction on the part of the respondents in not allotting Plot No.CM-57 to the petitioner and for directing the respondents to allot the said plot in favour of the petitioner.

3. Mr.Gandhi for the respondents has submitted that the Special Committee of the Board of Directors of the Corporation had approved to allot a Commercial Plot in response to the application of the petitioner. The policy of the respondent Corporation with respect to the price of the land, terms of payment etc. have been mentioned therein, at Annexure `C' to the petition.

4. Having regard to the facts and circumstances of the case, it is directed that if the respondents are disposing of the said Plot No.CM-57 for a price i.e. at the market price, and if the petitioner is willing to pay for the same, then the petitioner should be offered the said plot at the said market price. With the above clarification, the petition stands disposed of. Rule is made absolute to the aforesaid extent. Direct service is permitted.

(K. S. Jhaveri, J.)

pravin/